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**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA**

LYCURGAN, INC. d/b/a ARES  
ARMOR,  
Plaintiff,  
v.  
B. TODD JONES, in his official  
capacity as Head of the San  
Diego Bureau of Alcohol,  
Tobacco, Firearms and  
Explosives; and DOES 1-10,  
Defendants.

CASE NO. 14-CV-1679 JLS (BGS)

**DECLARATION OF SCOTT A.  
MCMILLAN REGARDING  
DECLARATION OF DANIEL E.  
BUTCHER OF DECEMBER 16, 2014.**

Judge: Hon. Janis L. Sammartino  
Dept.: 4A  
Date: UNDER SUBMISSION

## DECLARATION OF SCOTT A. MCMILLAN

I, Scott A. McMillan, declare:

1. I am Plaintiff Lycurgan's lawyer in the above captioned case. If called before this court, I could and would testify competently to the following from my own personal knowledge:

2. Since the U.S. Attorney's for the Eastern District of California does not need the EP80 unfinished lower receivers seized from Lycurgan, on behalf of my client – I respectfully request that those be released immediately. There are Eight “shopping days” until Christmas.

3. Lycurgan could sell those EP80 unfinisher receivers and mitigate  
its damages.

3 I declare under the penalty of perjury according to the laws of the United  
4 States that the foregoing is true and correct and that this declaration was executed  
5 on December 16, 2014, in the City of La Mesa, County of San Diego, State of  
6 California.

/s/ Scott A. McMillan

Scott A. McMillan  
Attorneys for Lycurgan, Inc.  
Plaintiff